

A BILL FOR THE ESTABLISHMENT OF A NATIONAL INTELLIGENCE AUTHORITY AND  
A CENTRAL INTELLIGENCE AGENCY

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

Sec. 1. (a) Findings and Declaration: -----

In enacting this legislation, it is the intent of Congress to provide a comprehensive and continuous program which will effectively accomplish the national intelligence mission of the United States by supplying the President of the United States, the Secretaries of State, War, and the Navy, and such other governmental officials as shall be appropriate, with foreign intelligence of the highest possible calibre. To accomplish this mission, a central intelligence agency is required by the United States. This agency shall insure the production of the foreign intelligence necessary to enable the appropriate officials of the Government to be informed fully in their dealings with other nations, and to enable these officials to formulate national policies and plans which this Government is to pursue in order to avert future armed conflicts and assure the common defense and security of the United States. The accomplishment of this service is the national intelligence mission of the United States.

Experience preceding, during, and following two World Wars has proven that the uncoordinated decentralization of the collection, research, and dissemination of foreign intelligence information among many departments and agencies of the Government is unsatisfactory. In an attempt to remedy this situation in times of national crises, emergency means have repeatedly been adopted. These experiences have shown the need for a permanent, centralized, intelligence agency so that all the foreign intelligence sources and facilities of the Government may be utilized to the fullest extent in the production of foreign intelligence, and so that their greatest potentialities may be realized most efficiently and economically, with a resultant elimination of unproductive duplication and unnecessary overlapping of functions in the accomplishment of the national intelligence mission of the United States.

Section 1. (b) Purpose of Act. -----

It is the purpose of this Act to carry out the policies set forth in Section 1(a) by providing for the execution, among others, of the following major programs relating to intelligence:

- (1) A program for the centralized operation of such foreign intelligence activities of the Federal Government as the National Intelligence Authority determines can so be performed most effectively, efficiently, and economically.
- (2) A program for the planning and development of all foreign intelligence activities of the Federal Government, and including the coordination of those activities of the departments and agencies of the Government designed for the production of foreign intelligence.
- (3) A program for the collection of foreign intelligence information by any and all means deemed effective.
- (4) A program of evaluation, correlation, and interpretation of the foreign intelligence information collected, in order to produce intelligence for the President and the appropriate departments and agencies of the Federal Government.
- (5) A program for dissemination to the President and the appropriate departments and agencies of the Federal Government of the intelligence produced.
- (6) A program for the full administration and implementation of the above.

Accordingly, it is hereby declared to be the policy of the people of the United States that in order to strengthen the hand of the Government in formulating national policies and conducting relations with other nations, and subject at all times to the paramount objective of assuring the common defense and security, the foreign intelligence activities, functions, and services of the Government be fully coordinated, and, when determined in accordance with the provisions of this Act, be operated centrally for the accomplishment of the national intelligence mission of the United States.

DEFINITIONS

Sec. 2. As used in this Act:

- (1) The term "foreign intelligence" shall be construed to mean the product of the timely evaluation, correlation, and interpretation of foreign intelligence information.
- (2) The term "foreign intelligence information" shall be construed to mean all data pertaining to foreign governments or areas, which may affect the foreign policy or the national defense and security of the United States.
- (3) The term "research" shall be construed to mean a process of evaluation (selection), correlation (synthesis), and interpretation (analysis) of intelligence information for the production of intelligence.
- (4) The term "evaluation" shall be construed to mean a process of systematic and critical examination of intelligence information for the purpose of determining its usefulness, credibility, and accuracy.
- (5) The term "correlation" shall be construed to mean a process of synthesis of intelligence information with all available related material.
- (6) The term "interpretation" shall be construed to mean a process of determining the probable significance of evaluated intelligence information.

(6) The Authority shall determine policies and objectives for, and supervise and direct, the Central Intelligence Agency, hereinafter provided for, in the planning, development, and coordination of the foreign intelligence activities of the departments and agencies of the Government, as well as in the conduct of those foreign intelligence operations performed centrally, in such manner as to assure the most effective accomplishment of the national intelligence mission.

(7) The Authority shall have the right to transfer responsibilities and authorities in the field of foreign intelligence between departments and agencies of the Government.

(8) Policies approved by the Authority in relation to the foreign intelligence activities of the United States, insofar as they affect the national defense and security, shall govern the intelligence activities of the various departments and agencies of the Government.

(9) If the decisions of the Authority on matters set forth in Sec. 3 (a) (6) and (7) of this Act are not unanimous, the Authority shall refer the matter to the President, whose decision shall be final.

ORGANIZATION

Sec. 3 (a) National Intelligence Authority. -----

(1) There is hereby established a National Intelligence Authority (hereinafter called the Authority) of five members. The Secretary of State, the Secretary of War, and the Secretary of the Navy shall be members of the Authority. The President shall designate a fourth member of the Authority to serve as his personal representative thereon. The Secretary of State, the Secretary of War, the Secretary of the Navy, and the personal representative of the President shall constitute the sole voting members of the Authority. The Director of Central Intelligence, hereinafter provided for, shall sit as the fifth member of the Authority, as a non-voting member thereof. The Secretary of State shall serve as Chairman of the Authority.

(2) The members of the Authority shall hold their positions thereon by virtue of their respective offices. The members of the Authority shall serve without compensation for this service and shall perform this service in addition to such other activities, public or private, as they may engage in.

(3) In the absence of the Secretaries of State, War, or the Navy, the appropriate Acting Secretary shall sit as a member of the Authority. If the personal representative of the President is absent, the Secretaries (or Acting Secretaries) of State, War, and the Navy shall constitute a quorum of the Authority.

(4) The Authority shall hold such meetings, conduct such hearings, and receive such reports as may be necessary to enable it to carry out the provisions of this Act. The Authority shall meet at least once each month.

(5) The Authority shall be served by a Secretariat, consisting of a Secretary and such other technical, administrative, and clerical assistance as the Authority shall deem necessary. The Central Intelligence Agency, hereinafter provided for, shall be responsible for furnishing the Secretariat with personnel. The Secretariat of the Authority shall also serve as the Secretariat of the Intelligence Advisory Board, hereinafter provided for, performing the same duties for this Board as for the Authority.

Sec. 3 (b) Central Intelligence Agency. -----

(1) There is hereby established a Central Intelligence Agency (hereinafter called the Agency), with a Director of Central Intelligence who shall be the head thereof, to be appointed from civilian or military life by the President, by and with the advice and consent of the Senate, to serve at the pleasure of the President. The Director shall receive compensation at the rate of \$17,500 per annum.

(2) There shall be a Deputy Director of the Central Intelligence Agency, appointed from civilian or military life by the President, by and with the advice and consent of the Senate, to serve at the pleasure of the President. The Deputy Director shall receive compensation at the rate of \$15,000 per annum. The Deputy Director shall be authorized to sign such letters, papers, and documents, and to perform such other duties as may be directed by the Director of Central Intelligence, and to act as Director in the absence of that officer, or in the case of a vacancy in the office of Director.

(3) The functions of the Agency, as outlined in Sec. 4 of this Act, shall be performed by the appropriate offices of the Agency. Each office shall be under the direction of an Assistant Director, who shall be appointed by the Director of Central Intelligence, and shall receive compensation at the rate of \$14,000 per annum. The Assistant Directors shall be not less than four (4) and not exceed six (6) in number.

(4) Any officer of the Department of State, or of the Foreign Service of the United States, and any commissioned officer of the United States Army, the United States Navy, or the United States Army Air Forces, may be assigned to or detailed for duty with the Agency; and such service shall in no way affect any status, office, rank, or grade he may occupy or hold in the Department of State, the Foreign Service of the United States, the United States Army, the United States Navy, or the United States Army Air Forces, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, notwithstanding the provisions of Title 10 U. S. Code, Sec. 576 and Public Law 724, 79th Congress, approved August 13, 1946, and entitled "An Act to improve, strengthen, and expand the Foreign

Service of the United States and to consolidate and revise the laws relating to its administration," or any other law pertaining to such pay and allowances. Any such officer of the Department of State, the Foreign Service of the United States, or commissioned officer on the active list shall receive, while serving in a position established in Sec. 3 (b) of this Act, the State Department, the Foreign Service, or the pay and allowances payable to an officer of his grade and length of service, and shall be paid, from any funds available to defray the expenses of the Agency, annual compensation at a rate equal to the difference between the salary set forth for such position in Sec. 3 (b) of this Act and the amount of such State Department, Foreign Service, or military pay and allowances.

(5) Notwithstanding section 2 of the Act of July 31, 1894 (28 Stat. 205), as amended (5 U.S.C. 62), or section 6 of the Act of May 10, 1916 (39 Stat. 120), as amended (5 U.S.C. <sup>58 &</sup> 59), the Director of Central Intelligence may appoint to, and employ in, any civilian office or position in the Agency, and pay, any retired commissioned officer, or retired warrant officer, of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service. The retired status, office, rank, and grade of retired commissioned officers, or retired warrant officers, so appointed or employed and, except as provided in section 212 of the Act of June 30, 1932 (47 Stat 406), as amended (5 U.S.C. 59a), any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, shall be in no way affected by reason of such appointment to or employment in, or by reason of service in, or acceptance or holding of, any civilian office or position in the Agency or the receipt of the pay thereof.



Section 3, (c). Intelligence Advisory Board. -----

- (1) The Director of Central Intelligence shall be advised by an Intelligence Advisory Board, (hereinafter called the Board), consisting of the heads (or their representatives) of those civilian and military intelligence agencies of the Government having functions related to the national defense and security, as determined, from time to time, by the National Intelligence Authority.
- (2) Members of the Board shall serve without compensation for this service and shall perform this service in addition to such other activities, public or private, as they may engage in.
- (3) The Intelligence Advisory Board shall be served by a Secretariat, as provided for in Section 3 (a) (5) of this Act.
- (4) Any recommendation of the Agency which is approved unanimously by the Director of Central Intelligence and the Board, and which they have the existing authority to execute, may be put into effect without action by the Authority.
- (5) Any recommendation of the Agency which does not receive such unanimous concurrence shall be submitted to the Authority for decision, together with the dissenting opinions.

FUNCTIONS

Sec. 4. Functions of the Central Intelligence Agency. -----

- (a) In order to assure the most effective accomplishment of the national intelligence mission of the United States, the Agency shall, under the supervision and direction of the Authority:
- (1) Develop and recommend to the Authority establishment of over-all policies, plans, requirements, objectives, and procedures to assure the most effective accomplishment of the national intelligence mission and to implement the provisions of this Act;
  - (2) Coordinate such of the foreign intelligence activities of the departments and agencies of the Government as relate to the national defense and security;
  - (3) Collect foreign intelligence information originating outside the continental limits of the United States by any and all means deemed effective;
  - (4) Give timely evaluation, correlation, and interpretation to foreign intelligence information;
  - (5) Disseminate national intelligence to the President and appropriate departments and agencies of the Government;
  - (6) Operate such foreign intelligence services as the Authority determines can best be performed, or be more efficiently or economically accomplished, centrally;
  - (7) Administer the personnel and logistical needs of the Agency, including the procurement, training, and supervision of the Agency's personnel, its budgetary requirements and disbursement of funds, and the provision of administrative and logistical support for the foreign activities of the Agency;
  - (8) Be responsible for fully protecting sources and methods used in the collection of foreign intelligence information received by the Agency;
  - (9) Provide for the internal security of the Agency, including the complete security of its policies, plans, requirements, objectives, procedures, operations, and personnel;
  - (10) Formulate and promulgate integrated security policies and procedures pertaining to the safeguarding of classified information and matter of the various departments and agencies of the Government, in the interest of the national defense and security; and

- (11) Perform such other functions and duties relating to foreign intelligence as the President or the Authority may direct.
- (b) The responsibility and authority of the departments and agencies of the Government to collect, evaluate, correlate, interpret, and disseminate departmental intelligence shall not be affected, except to the extent that the Authority may relieve them of such responsibility and authority pursuant to the provisions of Sec. 3 (a) (8) of this Act.
- (c) As required in<sup>the</sup> carrying out of the provisions of this Act, there will be made immediately available on a continuing basis to the Agency all intelligence, information, and such facilities as may be necessary, in the possession of the various departments and agencies of the Government.
- (d) To the extent recommended by the National Intelligence Authority, the intelligence operations of the departments and agencies of the Government shall be open to inspection by the Agency in connection with its planning functions.
- (e) The Agency shall have no police, subpoena, or law enforcement powers or functions, nor shall it have any functions concerning the internal security of the United States except as specifically authorized by Secs. 4 (a) (8) (9) and (1) of this Act.

GENERAL AUTHORITY

Section 6. In the performance of its functions, the Central Intelligence Agency is authorized to:

- (1) Procure necessary services, supplies and equipment without regard to the provisions of Section 3709, Revised Statutes (41 U.S.C. 5), as amended, upon certification by the Director, or an official designated by him for that purpose, that such action is necessary in the interest of the common defense and security or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made under contracts for such purpose;
- (2) Pay quarters and cost of living allowances or in lieu thereof a salary differential to employees having permanent station outside the continental limits of the United States;
- (3) Transfer to and receive from funds available to other departments or agencies of the Government such sums as may be authorized by the Bureau of the Budget, either as advance payment or reimbursement of appropriation, for the performance of any of the functions or activities authorized in this Act, and any other department or agency of the Government is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law concerning transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this Act without regard to limitations of other appropriations;
- (4) Order to the continental United States on leave of absence any officer or employee of the Agency upon completion of two (2) years continuous service abroad, and pay travel expenses incident thereto of employees and their dependents to their place of residence in the United States and return. Such leave will not exceed sixty (60) calendar days, and will be exclusive of time actually and necessarily spent in travel and awaiting transportation;
- (5) Reimburse other Government departments and agencies for services of personnel assigned to the Agency, and other departments and agencies are hereby authorized so to assign or detail any officer or employee for duty with the Agency;
- (6) Exchange funds without regard to Section 3651 Revised Statutes (31 U.S.C. 543);

- (7) Authorize couriers designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security;
- (8) Establish advisory boards to advise with and make recommendations to the Agency on administration, legislation, operations, policies, research, and other matters;
- (9) Make such studies and investigations, obtain such information, and hold such hearings as the Agency may deem necessary or proper to assist it in exercising any authority provided in this Act, or in the administration or enforcement of this Act, or any regulations or directives issued thereunder; and
- (10) Notwithstanding the provisions of Section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his absolute discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

APPROPRIATIONS

Section 7. Appropriations:-----

- (a) There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.
- (b) Within the limits of such appropriations, the Director is authorized to employ persons and means and make expenditures, at the seat of Government and elsewhere, for personal services, rent, travel expenses, preparation and transportation of the remains of officers and employees who die abroad or in transit, while in dispatch of their official duties, to their former homes in this country or to a place not more distant for interment, and for ordinary expenses of such interment; rental of news-reporting services; purchase of or subscription to law books, books of reference, periodicals, newspapers, commercial and trade reports; purchase or rental and operation of photographic, reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-receiving and radio-sending equipment and devices including telegraph and teletype equipment; purchase, maintenance, operation, repair and hire of motor-propelled or horse-drawn passenger-carrying vehicles and other vehicles, aircraft, and vessels of all kinds; printing and binding; purchase, maintenance, and cleaning of firearms.
- (c) The Acts appropriating such sums may appropriate specified portions thereof which may be expended, (A) without regard to the provisions of law and regulations relating to the expenditure of Government funds or the employment of persons in the Government service; (B) for objects of a confidential nature, such expenditures to be accounted for solely on the certificate of the Director and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

SEPARABILITY OF PROVISIONS

Section 8. If any provision of this Act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SHORT TITLE

Section 9. This Act may be cited as the "Central Intelligence Agency Act of 1949".